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**Minutes**  
**WASHINGTON CITY PLANNING COMMISSION**  
**June 18, 2014**

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Present: Commissioner Schofield, Commission Smith, Commissioner Shepherd, Commissioner Williams, Commissioner Papa, Commissioner Martinsen, Councilman Nisson and Councilman Staheli, Attorney Jeff Starkey, Drew Ellerman, Lester Dalton, Danice Bulloch, Doug Dennett, Logan Blake, Lynn Cusey, Katherine Staheli, Richard Henrie, William Hokanson.

Meeting called to order: 5:32 P.M.

Invocation: Commissioner Shepherd

Pledge of Allegiance: Commissioner Schofield

1. APPROVAL OF AGENDA

A. Approval of the agenda for June 18, 2014.  
Commissioner Smith motioned to approve the agenda.  
Commissioner Shepherd seconded the motion.  
Motion passed unanimously.

2. APPROVAL OF MINUTES

A. Approval of the minutes from June 4, 2014.  
Commissioner Shepherd motioned to approve the minutes.  
Commissioner Williams seconded the motion.  
Motion passed unanimously.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. ZONE CHANGE

A. Public Hearing for consideration and recommendation to City Council a Zone Change request Z-14-07 to change from RA-2 (Residential Agriculture minimum 2 Acres) and OS (Open Space) to R-3 (Multiple Family Residential). Located at approximately 700 North 1100 East. Applicant is Development Solutions Group, Inc., Logan Blake.

### **Background**

The applicant is requesting approval to change the zoning of approximately 9.756 acres, located approximately at 700 North 1100 East. The requested change is from the current zoning of Open Space (OS) and Residential/Agricultural - 2 acre min. (RA-2) to a proposed Multiple- Family Residential (R-3) zoning designation.

The General Plan Land Use Designation for this location is High Density Residential (HD). The surrounding General Plan Land Use Designations are High Density Residential (HD) to the west, south and east, and Community Commercial (CCOM) to the north.

The surrounding zoning designations are Open Space (OS) to the north, Service Commercial (C-2) to the east, Multiple-Family Residential (R-3) to the south, and Planned Unit Development (PUD) west.

The applicants are wishing to rezone their property to the Multiple-family Residential (R-3) for the purpose of building a townhome and apartment development at this particular location. Staff has reviewed the requested zone change and finds it to conform to the General Plan, the Zoning Ordinance and surrounding existing and proposed development.

### **Recommendation**

Staff recommends that the Planning Commission recommend approval of Z-14-07, for the zone change request from Open Space (OS) and Residential/Agricultural - 2 acre min. (RA-2) to the proposed Multiple-Family Residential (R-3) zoning designation, to the City Council, based on the following findings below:

### **Findings**

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. The utilities that will be necessary for this type of development will be readily accessible to the site.

Logan Blake stated staff has explained everything sufficiently.

Commissioner Schofield opened the public hearing.

No response.

Commissioner Papa motioned to close the public hearing.

Commissioner Smith seconded the motion.

Motion passed unanimously.

**Commissioner Smith motioned to recommend approval of Zone Change request Z-14-07, to change zone from RA-2 and OS to R-3, to the City Council as recommended and findings of staff.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

5. CONDITIONAL USE PERMIT

- A. Public Hearing to consider approval of a Conditional Use Permit C-14-02. The purpose is for a specialized basketball individual and group training. Located at 400 West Telegraph. Applicant is William Hokanson.

**Background**

The applicant is requesting approval of a Conditional Use Permit to develop a recreational basketball clinic facility, which is located at 400 West Telegraph (in the old air plane museum). The city zoning ordinance requires any commercial recreational facility being considered, to go through the conditional use permit process. The applicant is wishing to develop a facility that will be for one on one training and teaching of basketball skills. The business will not be for open floor playing. Numbers of occupants are limited to the specific clients that have registered for the lessons and training being offered.

As with the last proposed recreation facility at this location, parking was a concern with staff.

The applicant has shown that (as stated above) the class (or client) numbers will very limited allowing for specialized small group training. This is extremely helpful to keep the number of vehicles at a small number. Staff has required that a minimum of 20 parking stalls be available for this location, and as the exhibits show, they will be able to meet that number and are in negotiations to acquire the vacant lot adjoining to the east to add even more parking and landscaped area.

The only other concern is the actual look of the current building. The city has always for a facelift of some kind to help improve the look at this location which would help the entire look of Telegraph and our commercial properties.

**Recommendation**

Staff recommends that the Planning Commission approve C-14-02, if suitable, allowing for the business use of a commercial recreational facility, located at 400 West Telegraph, based on the following findings and subject to the following conditions:

**Findings**

1. The proposed use, at the particular location, is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and community; and
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of the persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
3. The proposed use will comply with the regulations and conditions specified in this title and associating state and federal titles, for such use; and
4. The proposed use will conform to the intent of the general plan.

**Conditions**

1. Any site improvements shall meet the requirements of City and State adopted codes.
2. A building permit (along with the associated engineer design is necessary) be obtained.

3. Sufficient parking would be installed, along with associated landscaping as per city code(s).
4. All proposed signage to be as per city codes as well.

Commissioner Schofield asked if Dixie Gun Works is still in business.

Mr. Ellerman replied yes for now.

Commissioner Schofield asked about the west side of the building.

Mr. Ellerman stated they could use for employee parking but don't want to promote public parking.

Commissioner Schofield asked if the Gun Works would still be in business with this.

Mr. Ellerman stated it could because there is enough square footage.

Commissioner Shepherd asked if Mr. Ellerman is concerned with congestion of people and traffic.

Mr. Ellerman stated no because they will come in very small groups or individual. Maybe 5 to 6 at a time, they are being hired as trainers.

Commissioner Schofield asked how many parking places with the potential Star Nursery property.

Mr. Ellerman stated about 44 parking stalls.

Commissioner Papa asked if it is strictly basketball.

Mr. Ellerman stated the plan shows it is for basketball training if they want something else they would have to come in and amend the CUP. They can change that tonight so they could have the potential to include other sports training.

Will Hokanson stated the Star property is under contract. They would like to have the option to do other types of training for other sports. It will always be a small number of people and the facility is not big enough for tournaments. The Gun Works is under a month-to-month contract and they plan on closing next week, he stated they will notify them they need the space. It will take Larry about 60 days to get his stuff out.

Commissioner Schofield asked if they get approval for this they would purchase the entire building.

Mr. Hokanson stated that is correct. There isn't enough room for regulation courts so they will not have tournaments.

Commissioner Schofield asked what experience does he have in this.

Mr. Hokanson stated he owns Dixie Home Rehab and Dixie Hospice Care and is a coach for Desert Hills High School.

Commissioner Schofield asked if Mr. Hokanson is affiliated with the facility in Northern Utah.

Mr. Hokanson stated he isn't affiliated with that facility.

Commissioner Schofield asked how he came up with his plan.

Mr. Hokanson stated his plan is similar to barefoot and SUBA basketball. There will be 9 to 12 part time employees and his plan is to use other coaches and pro basketball players. He doesn't want to be open 6 nights a week just about 2 to 3 nights and after school. The landscaping will be done right a way. The sign will be similar to what is there now.

Commissioner Smith asked about how many coaches and players at a time.

Mr. Hokanson stated 8 kids at 2:00 and another 8 at 3:30 and 8 at 3:00 the maximum would be 3 coaches, a receptionist and 24 kids.

Commissioner Shepherd asked if there would be mini group training and would they want to do other sports.

Mr. Hokanson stated he would like to do some Volleyball along with the basketball training.

Commissioner Schofield opened the public hearing.

No response.

Commissioner Smith motioned to close the public hearing.

Commissioner Papa seconded the motion.

Commissioner Schofield stated he is excited for this to come in particularly in this building.

Mr. Ellerman stated he would recommend an additional condition to add additional parking per occupancy of the building with the purchase of the Star Nursery property. And that the exhibits for landscaping and improvements submitted be approved.

Commissioner Papa asked about signage.

Mr. Ellerman stated only monument signs are allowed on Telegraph. Signage has to meet city ordinance.

**Commissioner Papa motioned to approve the Conditional Use Permit with the findings and conditions of staff with the additional condition #5 to include all exhibits shown at the Planning Commission Meeting to include Volleyball training as well as the Basketball Training and #6 that 28 maximum at the current property and up to 60 parking spaces with the purchase of the Star Nursery property.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

**6. PRELIMINARY PLAT**

- A. Continued tabled Preliminary Plat from May 21, 2014 for consideration and recommendation to City Council the White Sage Industrial Park Preliminary Plat located at approximately 1350 South 1400 East. Applicant is Doug Dennett.

**Background**

The applicant is requesting approval of a preliminary plat for the White Sage Industrial Park subdivision, located at approximately 1350 South 1400 East. The applicant is wishing to develop 37 lots on an area covering 20.68 acres. The location of this particular project is zoned Heavy Industrial (I-2).

The request meets the zoning regulation requirements and mostly all the other city ordinances as it relates to this location. Staff has reviewed the request and recommends that the proposed subdivision be denied due to the lack of proper access to and from the proposed development.

More specifically, the Access Management Plan as adopted by the City requires two accesses into and out of subdivisions. Public Works Department is asking that a second access be added in the area of "Lot #7" down into Washington Dam Road. If any blockage (i.e. an accident or major maintenance) of the main entrance (at the east end of the development) were to occur, no emergency response (if needed) would be able to access the subdivision. Thus, the request for a second access point for the subdivision.

The developer has concerns regarding the requirement due to topography and cost of obtaining the access in question. Both the developer and a representative from Public Works will relate their views on this situation. But it is for that reason, that staff has recommended denial to the proposed project. The applicant has been told it is his/her opportunity to explain why this recommendation could or should be overturned (i.e. difficulty in topography, location and cost).

This item was tabled at the Planning Commission meeting of May 21, 2014, to allow the applicant time to meet with adjoining property owners to the north and east to see if an ingress/egress easement could be obtained in order to gain a secondary access into and out of the proposed subdivision. Unfortunately, no progress has been made at this point in that direction.

The applicant will be meeting with representatives from BLM tomorrow (June 19th). The applicant is aware that his request is most likely going to be recommended as a denial, but is willing to move forward toward the city council meeting.

### **Recommendation**

Staff recommends that the Planning Commission recommend denial of the Preliminary plat for the White Sage Industrial Park subdivision to the City Council, based on the following findings and subject to the following conditions:

### **Findings**

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
  2. That the preliminary plat conforms to the Zoning Regulations and the Subdivision Ordinance as conditioned.
  3. Unfortunately, the preliminary plat does not meet the access management plan, requiring two accesses to and from the proposed subdivision.
- If the access situation can be mitigated, the following conditions would need to be applied:

### **Conditions**

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
  - A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.

10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.

11. The parcel noted as "future development" would need to be added into lot #9 of the subdivision due to future access problems. No access onto Washington Dam Road would be allowed.

12. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.

Doug Dennett introduced Karl Rasmussen with Provalue Engineering.

Mr. Rasmussen reviewed the history of the Sandhill Drive dedication and the previously approved plat. Because of the height of property that would connect to Rio Virgin Drive it is too steep. Showing map of the Sandhill Drive dedication plat (September 2005) and the approved preliminary plat (August 2008). He stated his concern with the grade and that Mr. Dennett is willing to do the improvement on their portion of the road. He referenced the code for road and this is less than 600 feet. Mr. Rasmussen stated they have proposed lot 34 be given back to the Iverson's. Then there will be a loop road that ties into Sandhill.

Lester Dalton explained the previous and current plats are somewhat similar. The road was 60 foot wide with internal road as 60-foot width. The now proposed plat shows 50-foot roadway.

Commissioner Schofield asked for clarification on the size of the road.

Mr. Dalton answered the entire development is a cul-de-sac in his view and a single access.

Mr. Rasmussen explained this was approved previously. He stated his review with staff Fire Marshall Jim Guynn and Lester Dalton regarding an email that the fire code chapter 5 and a comment that Mr. Guynn understands Mr. Dalton's concern. The code stated there is an exception. He explained there is a way to mitigate access.

Commissioner Shepherd asked what would the alternate provisions be.

Mr. Rasmussen stated fire supersession there would be sprinkling installed.

Commissioner Schofield stated the item was tabled to allow time to solve some of the issues and it could be premature to come back to the Commission. He stated he knows there is a meeting tomorrow with the BLM. He stated he still has the same concerns with one access.

Doug Dennett stated he is frustrated because the dedication was done because of his request and he completed all requests by the city. He stated he didn't own the property before it was approved previously. Now he purchased the property based on the approval and now he can't get approval.

Commissioner Schofield asked why not the same plat from 2008.



Mr. Dennett asked to make the adjustments and had a small access.

Commissioner Schofield asked why the change of lots and street.

Mr. Dennett stated he did not ask to make the change.

Mr. Rasmussen stated he was not given the information from Bush and Gudgell. He stated when this was storage units he didn't need the large lot.

Commissioner Schofield stated if he had approved this previously and then a new plat comes in and Mr. Dalton states his concerns he would be hard pressed to approve another plan that changes road size and access.

Mr. Dennett stated he would build the road to whatever size the city wants. The original had access that was approved.

Commissioner Papa excused at 6:45 P.M.

Commissioner Williams stated on the hill steepness for traffic was addressed.

Mr. Dennett stated the roads could be adjusted to a 60-foot road. He stated he feels this is a better plan and that lot would still be a concern with staff.

Commissioner Schofield stated he would like this to be feasible for everyone.

Commissioner Smith stated if lot 37 were removed from the development what would you do with the property.

Mr. Dennett stated he would like to give it to the Iverson's to meet the commission's request.

Commissioner Smith stated the lot couldn't have access onto Washington Dam Road. He stated it has to be given back to the Iverson's only to incorporate for access.

Commissioner Schofield explained the request is a unique situation where it was previously approved. He asked Mr. Dalton if the same plan was here tonight would you have approved it.

Mr. Dalton stated single access is a concern and his concerns would still be the same. He explained the history of water line and problems of access in the past. That is a 12-inch water line and not a typical water line size. He stated he couldn't speak for previous staff.

Commissioner Schofield asked what is the solution.

Mr. Dalton stated there could be any type of emergency access, some type of secondary access.

Commissioner Smith stated the topography is very limited and is an issue. The access management plan is in his favor because you can't put an access on Washington Dam Road.

Mr. Dalton stated something could be in a different direction.

Commissioner Smith asked what about city property. They have to provide access to a public street.

Mr. Dalton stated the original review of the dedicated road had conditions for nothing but storage units and now it has a change in the use with access onto Sandhill or Rio Virgin.

He stated improvements on Sandhills Drive or bonded deferral on Washington Dam Road and there was never an agreement, which was supposed to happen. He showed the section of the minutes of the dedication plat.

Mr. Dennett stated he did all that was asked of him. He stated he would install the road to full width and have access to a dedicated road.

Commissioner Smith asked about the property to the east (Kenworth).

Mr. Dennett stated he would look at anything that would make sense but that is a large company. He stated Red Salsbury would also like to see the road extended to the north.

Mr. Dalton stated the City Yard would have elevation problems.

Commissioner Smith asked if Mr. Dennett had spoken with Kenworth to work out access.

Mr. Dennett stated they told him they would think about it.

Commissioner Schofield asked what would need to be done. He suggested an additional condition of access as another way, Kenworth/ Salsbury or through the BLM/Salsbury property.

Mr. Dalton stated he agreed staff would be comfortable with temporary access.

**Commissioner Shepherd motioned to recommend approval for the Preliminary Plat for The White Sage Industrial Park to the City Council as recommended by staff with additional condition of a temporary access approved by staff and in place prior to submittal of the final plat.**

**Commissioner Williams seconded the motion.**

**Motion passed unanimously.**

- B. Continued tabled Public Hearing for Preliminary Plat from June 4, 2014 for consideration and recommendation to City Council for the Washington Vista Phase 5 Preliminary Plat located at approximately 2000 North 850 West. Applicant: Matt Lowe

## **Background**

The applicant is requesting approval of a preliminary plat for the Washington Vista, Phase 5 subdivision, located at approximately 2000 North 850 West. The applicant is wishing to develop 18 lots on an area covering 6.53 acres. The location of this particular project is zoned Single-Family Residential - 10,000 square foot min. (R-1-10).

This phase (#5), was not part of the original project (Washington Vista), but the developers, had an opportunity to acquire the parcel from SITLA. SITLA had just sold off land to another developer in this same area, and due to road configurations, this six (plus) acre piece was left over and abutted the Washington Vista boundaries on the south and east sides. Mr. Lowe bid on the parcel and was awarded it not too long ago. They are wishing to add it to the overall project currently under construction.

The requested preliminary plat meets the zoning regulation requirements and the other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval with conditions, of the preliminary plat as outlined.

This item was tabled at the last Planning Commission meeting of June 4, 2014, to give the applicant time to add required information to the plat, specifically road dedications on Green Spring Drive and Washington Parkway.

## **Recommendation**

Staff recommends that the Planning Commission recommend approval of the Preliminary plat for the Washington Vista, Phase 5 subdivision to the City Council, based on the following findings and subject to the following conditions:

## **Findings**

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning Regulations and the Subdivision Ordinance as conditioned.

## **Conditions**

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:

- A. A title report.
  - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
  7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
  8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
  9. Driveway locations are to be approved by the Public Works Department.
  10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
  11. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.

Commissioner Schofield opened the Public Hearing.

No response.

Commissioner Smith motioned to close the public hearing.

Commissioner Shepherd seconded the motion.

Motion passed unanimously.

**Commissioner Williams motioned to recommend approval for the Preliminary Plat for Washington vista Phase 5 to the City Council as recommended by staff.**

**Commissioner Shepherd seconded the motion.**

**Motion passed unanimously.**

7. DISCUSSION ITEM

- A. Discussion of project status and Planning Commission training.

Commissioner Schofield thanked staff for their good work and the Council for their support. He then wished the Planning Commissioner God speed.

Commissioner Williams expressed his appreciation for the work Commissioner Schofield has provided.

Commissioner Smith also thanked him for his service.

Mr. Ellerman stated he appreciates the 61/2 years of service and gave him a token of thanks.

Commissioner Smith motioned to adjourn the meeting.  
Commissioner Williams seconded the motion.  
Motion passed unanimously.

Meeting adjourned: 7:21 P.M.

Washington City

Signed by: Laurie Shepherd, pro tem  
~~Jason Smith, Chairman~~  
Laurie Shepherd, Pro Tem

Attested to: Kathy Spring  
Kathy Spring, Zoning Technician